

VZCZCXRO5739
PP RUEHBC RUEHDE RUEHDH RUEHIHL RUEHKUK
DE RUEHGB #1401 1491035
ZNY CCCCC ZZH
P 291035Z MAY 09
FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC PRIORITY 3239
INFO RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L BAGHDAD 001401

SIPDIS

E.O. 12958: DECL: 05/28/2019
TAGS: [PGOV](#) [KCOR](#) [KDEM](#) [IZ](#)
SUBJECT: ANTI-CORRUPTION IN IRAQ: THE SAGA OF "1,000 ARREST
WARRANTS"

REF: A. BAGHDAD 101
[1](#)B. BAGHDAD 1355 ET AL

Classified By: ACCO Joseph Stafford, reason 1.4 (b and d)

"1000 ARREST WARRANTS"

[1](#)1. (C) Judge Raheem Al-Ugaili, the head of Iraq's lead anti-corruption agency, the Commission on Integrity (COI), met with the press May 27 and presented highlights of the COI's performance. Local and western media highlighted his statement that the COI had obtained 997 arrest warrants for officials suspected of corrupt activities. COI sources subsequently placed this figure in perspective for us, explaining that it represented the total number of arrest warrants, some dating back to 2004, when the COI was established. Judge Rehim told the press that 97 defendants ended up being convicted in 2008, with 396 persons convicted since the COI's establishment in 2004.

[1](#)2. While our sources added that no mass roundup of allegedly corrupt officials was in the offing, they did claim that the pace of arrests was accelerating in 2009. (NOTE: According to the media, Judge Raheem claimed that 266 persons had been picked up on corruption charges so far this year, with 33 persons detained on May 24 alone. No details were provided on the arrestees, e.g., names, GOI institutional affiliations, etc. END NOTE.) Judge Raheem also reportedly stated that, of the 997 pending arrest warrants, 53 covered senior officials, at the level of director general (assistant secretary-equivalent) and above, but our sources were unable to verify the accuracy of this figure.

LEGAL LOOPHOLES

[1](#)3. (U) In his presentation, Judge Raheem also made clear the negative impact of two controversial legal provisions on the COI's anti-corruption efforts: (a) Article 136(b) of Iraq's Criminal Procedure Code, which authorizes a minister to block the prosecution of Ministry employees for corruption and other criminal acts, and (b) the Amnesty Law of February 2008, which granted amnesty to thousands of persons being prosecuted, or already convicted, on various criminal charges. Raheem reportedly told the media that prosecutions and convictions of some 2,772 persons in corruption cases were nullified by the amnesty law. (COMMENT: Per ref a, we had previously estimated the number of corruption-related beneficiaries of the Amnesty Law at 1,721; in any case, the upshot was that a large proportion of all anti-corruption cases -- including the convictions cited by Raheem -- were either dismissed or closed. To be sure, the bulk of the estimated 20,000 beneficiaries were implicated in crimes other than corruption. END COMMENT) Raheem indicated that corruption cases involving 650 billion dinars (approx. \$520 million) were aborted by the law. He added that Article 136(b) was used to block prosecution of 70 persons on corruption charges in 2008.

COMMENT

¶4. (C) Judge Raheem's presentation was doubtless designed to portray a COI fully engaged in its mission amidst the GOI leadership's heightened profile of late on the anti-corruption dossier (ref b). In his recitation of facts and figures, he drew in part from the COI's recently published report for 2008. (NOTE: At present, the text is available only in Arabic, and we are arranging for translation. END NOTE). At this juncture, the COI head's presentation raises as many questions as answers, particularly concerning prospects for actual prosecution of the reported 53 senior officials among those covered by the 997 pending arrest warrants. We are also seeking more details on the 97 convictions in 2008 announced by Judge Raheem -- up from the 87 previously reported (ref a). QRaheem -- up from the 87 previously reported (ref a). Finally, his presentation underscores the extent to which the Amnesty Law and Article 136(b) have stymied the GOI's anti-corruption efforts. Regarding the Amnesty Law, in particular, it was designed to facilitate the release of detainees against whom there was insufficient evidence to warrant prosecution. END COMMENT
HILL